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### I

#### ACADEMIC FREEDOM

In discussing the questions summed up in the phrase academic freedom, it is necessary to make a distinction between the university proper and those teaching bodies, called by whatever name, whose primary business is to inculcate a fixed set of ideas and facts. The former aims to discover and communicate truth and to make its recipients better judges of truth and more effective in applying it to the affairs of life. The latter have as their aim the perpetuation of a certain way of looking at things current among a given body of persons. Their purpose is to disciple rather than to discipline—not indeed at the expense of truth, but in such a way as to conserve what is already regarded as truth by some considerable body of persons. The problem of freedom of inquiry and instruction clearly assumes different forms in these two types of institutions. An ecclesiastical, political, or even economic corporation holding certain tenets certainly has a right to support an institution to maintain and propagate its creed. It is a question not so much of freedom of thought as of ability to secure competent teachers willing to work under such conditions, to pay bills, and to have a constituency from which to draw students. Needless to say, the line between these two types of institutions is not so clear-cut in practice as it is in theory. Many institutions are in a state of transition. Historically, they are bound by ties to some particular body of beliefs, generally to some denominational association. Nominally, they

still owe a certain allegiance to a particular body. But they are also assuming many strictly university functions and are thereby accepting obligations to a larger world of scholarship and of society. In these respects the institution imposes upon its teaching corps not merely a right, but a duty, to maintain in all ways the university ideal of freedom of inquiry and freedom of communication. But, in other respects, while the historical denominational ties are elongated and attenuated, they still remain; and thru them the instructor is to some extent bound. Implicit, if not explicit, obligations are assumed. In this situation, conflict between the two concerns of the university may arise; and in the confusion of this conflict it is difficult to determine just which way the instructor is morally bound to face. Upon the whole it is clear, however, that the burden falls upon the individual. If he finds that the particular and local attachment is so strong as to limit him in the pursuit of what he regards as essential, there is one liberty which cannot be taken away from him: the liberty of finding a more congenial sphere of work. So far as the institution is frank in acknowledging and maintaining its denominational connections, he cannot throw the burden back upon it. Nevertheless he, and those who are like-minded, have the right to deplore what they consider as a restriction, and to hope and labor for the time when the obligation in behalf of all the truth to society at large shall be felt as more urgent than that of a part of truth to a part of society.

But it cannot be inferred that the problem is a wholly simple one, even within the frankly announced denominational institutions. The line in almost any case is a shifting one. I am told that a certain denominational college permits and encourages a good deal of instruction in anatomy and physiology because there is biblical authority for the statement that the human body is fearfully and wonderfully made, while it looks askance upon the teaching of geology because the recognized doctrine of the latter appears to it to conflict with the plain statements of Genesis. As regards anatomy and physiology, an instructor in such an institution would naturally feel that his indebtedness was to the world of scholarship rather than to

his own denomination, and here conflict might possibly arise. Or a teacher of history might find a conflict existing between the supposed interests of his denomination and the historical facts as determined by the best research at his command. Here, again, he would find himself naturally pulled in two different directions. No possible tie to what his own institution specially stands for can impose upon him the obligation to suppress the truth as he sees it. I quote such cases simply to indicate that, while in a general way there is a line of demarcation between the two types of institutions referred to, and consequently the problem of academic freedom does not arise so definitely in one type, yet even in the latter, because all things shift, the question, after all, may assert itself.

In the subsequent discussion I shall confine myself exclusively to institutions of the university type. It is clear that in this sphere any attack, or even any restriction, upon academic freedom is directed against the university itself. To investigate truth; critically to verify fact; to reach conclusions by means of the best methods at command, untrammelled by external fear or favor, to communicate this truth to the student; to interpret to him its bearing on the questions he will have to face in life—this is precisely the aim and object of the university. To aim a blow at any one of these operations is to deal a vital wound to the university itself. The university function is the truth-function. At one time it may be more concerned with the tradition or transmission of truth, and at another time with its discovery. Both functions are necessary, and neither can ever be entirely absent. The exact ratio between them depends upon local and temporal considerations rather than upon anything inherent in the university. The one thing that is inherent and essential is the idea of truth.

So clear are these principles that, in the abstract, no theoretical problem can possibly arise. The difficulties arise from two concrete sources. In the first place, there is no gainsaying the fact that some of the studies taught in the university are inherently in a much more scientific condition than others. In the second place, the popular or general recognition of scientific status is much more widespread as regards some

subjects than others. Upon the whole, it is practically impossible for any serious question regarding academic freedom to arise in the sphere of mathematics, astronomy, physics, or chemistry. Each of these subjects has now its definite established technique, and its own sphere within which it is supreme. This is so as fact; and it is generally so recognized by all persons of influence in the community. Consequently, there is no leverage from which to direct an attack upon academic freedom in any of these subjects. Such, of course, was not the case a few centuries ago. We know the storm that raged about astronomy. We know that it is only thru great trial and tribulation that the sciences have worked out such a definite body of truth and such definite instrumentalities of inquiry and verification as to give them a position assured from attack.

The biological sciences are clearly in a transitional state. The conception of evolution is a test case. It is safe to say that no university worthy of the name would put any limitation upon instruction in this theory, or upon its use as an agency of research and classification. Very little sympathy could be secured for an attack upon a university for encouraging the use of this theory. Many of the smaller colleges, however, would be shaken to their foundations by anything that seemed like a public avowal of belief in this doctrine. These facts would seem to mean that the more influential sections of the community upon which the universities properly depend have adjusted themselves to the fact that biology is a science which must be the judge of its own methods of work; that its facts and tests of fact are to be sought within its own scientific operations, and not in any extraneous sources. There are still, however, large portions of society which have not come to recognize that biology is an established science, and which, therefore, cannot concede to it the right to determine belief in regions that conflict with received opinions, and with the emotions that cluster about them.

There is another group of sciences which, from the standpoint of definitive method and a clearly accepted body of verified fact, are more remote from a scientific status. I refer

especially to the social and psychological disciplines, and to some phases of linguistic and historical study—those most intimately associated with religious history and literature. Moreover, the public recognition of the scientific status attained lags behind the fact. As compared with mathematics or physics we can employ the term "science" only in a tentative and somewhat prophetic sense—the aspirations, the tendencies, the movement are scientific. But to the public at large the facts and relations with which these topics deal are still almost wholly in the region of opinion, prejudice, and accepted tradition. It has hardly dawned upon the community as a whole that science really has anything to say upon matters in the social and psychological sphere. The general public may be willing enough to admit in the abstract the existence of a science of political economy, sociology, or psychology, but when these dare to emerge from a remote and technical sphere, and pass authoritative judgment upon affairs of daily life,—when they come in contact, that is, with the interests of daily life,—they meet with little but skepticism or hostility or, what is worse, sensational exploitation.

It is out of these two facts—the backwardness of some of our sciences and failure of the general public to recognize even the amount of advance actually made—that the concrete problems of academic freedom arise. The case may be stated as follows: On behalf of academic freedom it may be urged that the only way in which the more backward subjects can possibly reach anything like the status of mathematics and mechanics is by encouraging to the utmost freedom of investigation, and the publication, oral and printed, of the results of inquiry. It may be urged that the very failure on the part of the public to recognize rightful jurisdiction for scientific methods and results is only the more reason for unusual frankness and fullness of expression. Because the public is so behind the scientific times, it must be brought up. The points of contact, it may be urged, between the social and moral sciences and social needs, are even more numerous and more urgent than in the case of the mathematical and physical sciences. The latter have secured



their independence thru a certain abstractness, a certain remoteness from matters of social concern. Political economy, sociology, historical interpretation, psychology in its various possible applications, deal face to face with problems of life, not with problems of technical theory. Hence the right and duty of academic freedom are even greater here than elsewhere.

*Per contra*, it may be pointed out that, in so far as these subjects have not reached a scientific status, an expression of opinion on the part of a university instructor remains after all nothing but an expression of opinion, and hardly entitled to any more weight than that of any other reasonably intelligent person. It, however, is almost certain to be regarded as an official judgment. It thus commits and possibly compromises the institution to which the instructor belongs. The sphere of ideas which has not yet come under recognized scientific control is, moreover, precisely that which is bound up most closely with deep-rooted prejudice and intense emotional reaction. These, in turn, exist because of habits and modes of life to which the people have accustomed themselves. To attack them is to appear to be hostile to institutions with which the worth of life is bound up.

John Stuart Mill, with characteristic insight, somewhere points out that the German easily tolerates and welcomes all kinds of new ideas and new speculations because they exist in a region apart; they do not affect, excepting indirectly, the practical conduct of life. With the Englishman it is different. He is instinctively uneasy in the presence of a new idea; the wider the scope of the idea, the more readily uneasiness turns to suspicion and hostility. He recognizes that to accept the new idea means a change in the institutions of life. The idea is too serious a matter to be trifled with. The American has certainly inherited enough of the Englishman's sense for the connection of theory and practice to be conservative in the matter of the public broaching (and under modern conditions even classroom discussion is quasi-public) of ideas which lie much beyond the bounds of the domain publicly allotted to science.

Wherever scientific method is only partially attained the danger of undue dogmatism and of partisanship is very great. It is possible to consecrate ideas born of sheer partisanship with the halo of scientifically established belief. It is possible to state what is currently recognized to be scientific truth in such a way as to violate the most sacred beliefs of a large number of our fellow-men. The manner of conveying the truth may cause an irritation quite foreign to its own substance. This is quite likely to be the case whenever the negative rather than the positive aspect is dwelt upon; wherever the discrepancy between the new truth and established institutions is emphasized, rather than the intrinsic significance of the new conception. The outcome is disintegrating instead of constructive; and the methods inevitably breed distrust and antagonism.

One might, for example, be scientifically convinced of the transitional character of the existing capitalistic control of industrial affairs and its reflected influences upon political life; one might be convinced that many and grave evils and injustices are incident to it, and yet never raise the question of academic freedom, altho developing his views with definiteness and explicitness. He might go at the problem in such an objective, historic, and constructive manner as not to excite the prejudices or inflame the passions even of those who thoroly disagreed with him. On the other hand, views at the bottom exactly the same can be stated in such a way as to rasp the feelings of everyone exercising the capitalistic function. What will stand or fall upon its own scientific merits, if presented as a case of objective social evolution, is mixed up with all sorts of extraneous and passion-inflaming factors when set forth as the outcome of the conscious and aggressive selfishness of a class.

As a result of such influences the problem of academic freedom becomes to a very large extent a personal matter. I mean that it is a matter of the scholarship, judgment, and sympathy of the individual in dealing with matters either only just coming within the range of strict scientific treatment, or, even if fairly annexed to the scientific domain, not yet recognized by contemporary public opinion as belonging there. All

sorts of difficulties arise when we attempt to lay down any rules for, or pass any judgment upon, the personal aspects of the matter. Such rules are likely to be innocuous truisms. We can insist upon one hand that the individual must be loyal to truth, and that he must have the courage of his convictions; that he must not permit their presumed unpopularity, the possibly unfavorable reaction of their free expression upon his own career, to swerve him from his singleness of devotion to truth. We may dwell upon the dangers of moral cowardice and of turning traitor to the cause in which every scholar is enlisted. We may indicate the necessity of the use of common sense in the expression of views on controverted points, especially points entering into the arena of current religious and political discussion. We may insist that a man needs tact as well as scholarship; or, let us say, sympathy with human interests—since “tact” suggests perhaps too much a kind of juggling diplomacy with the questions at issue.

It is possible to confuse loyalty to truth with self-conceit in the assertion of personal opinion. It is possible to identify courage with bumptiousness. Lack of reverence for the things that mean much to humanity, joined with a craving for public notoriety, may induce a man to pose as a martyr to truth when in reality he is a victim of his own lack of mental and moral poise. President Harper, in a clear and comprehensive discussion in his Convocation Address of December, 1900,<sup>1</sup> points out so clearly the sources of personal failure of this sort that I make no apology for quoting his words:

(1) A professor is guilty of an abuse of privilege who promulgates as truth ideas or opinions which have not been tested scientifically by his colleagues in the same department of research or investigation. (2) A professor abuses his privilege who takes advantage of a classroom exercise to propagate the partisan view of one or another of the political parties. (3) A professor abuses his privilege who in any way seeks to influence his pupils or the public by sensational methods. (4) A professor abuses his privilege of expression of opinion when, altho a student and perhaps an authority in one department or group of departments, he undertakes to speak authoritatively on subjects which have no relationship to the department in which he was appointed to give instruction. (5) A professor abuses his privilege in many cases when, altho shut off in large measure

<sup>1</sup> See *University record*, 5: 377.

from the world and engaged within a narrow field of investigation, he undertakes to instruct his colleagues or the public concerning matters in the world at large in connection with which he has had little or no experience.

Now, while all university men will doubtless agree with President Harper when he says “freedom of expression must be given to members of a university faculty, even tho it be abused, for the abuse of it is not so great an evil as the restriction of such liberty,” yet it is clear that the presence of these personal elements detracts very much from the simplicity and significance of an issue regarding academic freedom. For reasons into which I cannot fully go, I am convinced that it is now well-nigh impossible to have raised, in any of the true universities of this country, a straight out-and-out issue of academic freedom. The constantly increasing momentum of scientific inquiry, the increasing sense of the university spirit binding together into one whole the scattered members of various faculties thruout the country, the increased sensitiveness of public opinion, and the active willingness of a large part of the public press to seize upon and even to exaggerate anything squinting towards an infringement upon the rights of free inquiry and free speech—these reasons, among others, make me dissent most thoroly from the opinion sometimes expressed that there is a growing danger threatening academic freedom.

The exact contrary is, in my judgment, the case as regards academic freedom in the popular sense, that is to say, of dictatorial interferences by moneyed benefactors with special individual utterances.

It does not follow, however, that there is no danger in the present situation. Academic freedom is not exhausted in the right to express opinion. More fundamental is the matter of freedom of work. Subtle and refined danger is always more to be apprehended than a public and obvious one. Encroachments that arise unconsciously out of the impersonal situation are more to be dreaded than those coming from the voluntary action of individuals. Influences that gradually sap and undermine the conditions of free work are more ominous than those which attack the individual in the open. Ability



to talk freely is an important thing, but hardly comparable with ability to work freely. Now freedom of work is not a matter which lends itself to sensational newspaper articles. It is an intangible, undefinable affair; something which is in the atmosphere and operates as a continuous and unconscious stimulus. It affects the spirit in which the university as a whole does its work, rather than the overt expressions of any one individual. The influences which help and hinder in this freedom are internal and organic, rather than outward and personal.

Without being a pessimist, I think it behooves the community of university men to be watchful on this side. Upon the whole, we are pretty sure that actual freedom of expression is not going to be interrupted at the behest of any immediate outside influence, even if accompanied with the prospective gift of large sums of money. Things are too far along for that. The man with money hardly dare directly interfere with freedom of inquiry, even if he wished to; and no respectable university administration would have the courage, even if it were willing, to defy the combined condemnation of other universities and of the general public.

None the less the financial factor in the conduct of the modern university is continually growing in importance, and very serious problems arise in adjusting this factor to strict educational ideals. Money is absolutely indispensable as a means. But it is only a means. The danger lies in the difficulty of making money adequate as a means, and yet keeping it in its place—not permitting it to usurp any of the functions of control which belong only to educational purposes. To these, if the university is to be a true university, money and all things connected therewith must be subordinate. But the pressure to get the means is tending to make it an end; and this is academic materialism—the worst foe of freedom of work in its widest sense.

Garfield's conception of the college as a bench with a student at one end and a great teacher at the other, is still a pious topic of after-dinner reminiscence; but it is without bearing in the present situation. The modern university is itself a great economic plant. It needs libraries, museums, and laboratories,

numerous, expensive to found and to maintain. It requires a large staff of teachers.

Now the need for money is not in itself external to genuine university concerns; much less antagonistic to them. The university must expand in order to be true to itself, and to expand it must have money. The danger is that means absorb attention and thus possess the value that attaches alone to the ultimate educational end. The public mind gives an importance to the money side of educational institutions which is insensibly modifying the standard of judgment both within and without the college walls. The great event in the history of an institution is now likely to be a big gift, rather than a new investigation or the development of a strong and vigorous teacher. Institutions are ranked by their obvious material prosperity, until the atmosphere of money-getting and money-spending hides from view the interests for the sake of which money alone has a place. The imagination is more or less taken by the thought of this force, vague but potent; the emotions are enkindled by grandiose conceptions of the possibilities latent in money. Unconsciously, without intention, the money argument comes to be an argument out of proportion, out of perspective. It is bound up in so many ways, seen and unseen, with the glory and dignity of the institution that it derives from association an importance to which it has in itself no claim.

This vague potentiality, invading imagination and seducing emotion, checks initiative and limits responsibility. Many an individual who would pursue his straight course of action unhindered by thought of personal harm to himself, is deflected because of fear of injury to the institution to which he belongs. The temptation is attractive just because it does not appeal to the lower and selfish motives of the individual, but comes clothed in the garb of the ideals of an institution. Loyalty to an institution, *esprit de corps*, is strong in the university, as in the army and navy. A vague apprehension of bringing harm upon the body with which one is connected is kept alive by the tendency of the general public to make no distinction between an individual in his personal and his profes-

sional capacity. Whatever he says and does is popularly regarded as an official expression of the institution with which he is connected. All this tends to paralyze independence and drive the individual back into a narrower corner of work.

Moreover, a new type of college administration has been called into being by the great expansion on the material side. A ponderous machinery has come into existence for carrying on the multiplicity of business and quasi-business matters without which the modern university would come to a standstill. This machinery tends to come between the individual and the region of moral aims in which he should assert himself. Personality counts for less than the apparatus through which, it sometimes seems, the individual alone can accomplish anything. Moreover, the minutiae, the routine turning of the machinery, absorb time and energy. Many a modern college man is asking himself where he is to get the leisure and strength to devote himself to his ultimate ends, so much, willy-nilly, has to be spent on the intermediate means. The side-tracking of personal energy into the routine of academic machinery is a serious problem.

All this, while absorbing some of the energy which ought to find outlet in dealing with the larger issues of life, would not be so threatening were it not for its association with the contemporary tendency to specialization. Specialization, in its measure and degree, means withdrawal. It means preoccupation with a comparatively remote field in relatively minute detail. I have no doubt that in the long run the method of specialization will justify itself, not only scientifically, but practically. But value in terms of ultimate results is no reason for disguising the immediate danger to courage, and the freedom that can come only from courage. Teaching, in any case, is something of a protected industry; it is sheltered. The teacher is set somewhat one side from the incidence of the most violent stresses and strains of life. His problems are largely intellectual, not moral; his associates are largely immature. There is always the danger of a teacher's losing something of the virility that comes from having to face and wrestle with economic and political problems on equal terms with competitors.

Specialization unfortunately increases these dangers. It leads the individual, if he follows it unreservedly, into bypaths still further off from the highway where men, struggling together, develop strength. The insidious conviction that certain matters of fundamental import to humanity are none of my concern because outside of my *Fach*, is likely to work more harm to genuine freedom of academic work than any fancied dread of interference from a moneyed benefactor.

The expansion of the material side of the modern university also carries with it strong tendencies towards centralization. The old-fashioned college faculty was pretty sure to be a thoroughgoing democracy in its way. Its teachers were selected more often because of their marked individual traits than because of pure scholarship. Each stood his own and for his own. The executive was but *primus inter pares*. It was a question not of organization or administration (or even of execution on any large scale), but rather of person making himself count in contact with person, whether teacher or student. All that is now changed—necessarily so. It requires ability of a very specialized and intensified order to wield the administrative resources of a modern university. The conditions make inevitably for centralization. It is difficult to draw the line between that administrative centralization which is necessary for the economical and efficient use of resources and that moral centralization which restricts initiative and responsibility. Individual participation in legislative authority and position is a guarantee of strong, free, and independent personalities. The old faculty, a genuine republic of letters, is likely to become an oligarchy—more efficient from the standpoint of material results achieved, but of less account in breeding men. This reacts in countless ways upon that freedom of work which is necessary to make the university man a force in the working life of the community. It deprives him of responsibility, and with weakening of responsibility comes loss of initiative.

This is one phase of the matter—fortunately not the whole of it. There has never been a time in the history of the world when the community so recognized its need of expert guidance as to-day. In spite of our intellectual chaos,



in spite of the meaningless hullabaloo of opinion kept up so persistently about us by the daily press, there is a very genuine hunger and thirst after light. The man who has the word of wisdom to say is sure of his audience. If he gets his light out from under the bushel, it carries a long way. From this point of view there are strong influences working to free the university spirit, the spirit of inquiry and expression of truth, from its entanglements and concealments. The need being imperative, the stimulus is great. A due degree of courage, a due measure of the spirit of initiative and personal responsibility is the natural response. With the decay of external and merely governmental forms of authority, the demand grows for the authority of wisdom and intelligence. This force is bound to overcome those influences which tend to withdraw and pen the scholar within his own closet.

An immediate resource counteracting the dangers threatening academic freedom, is found also in the growth of inter-collegiate sentiment and opinion. No fact is more significant than the growing inclination on the part of scientific associations to assume a right and duty to inquire into what affects the welfare of its own line of inquiry, however and wherever it takes place. This is the growth of the corporate scientific consciousness; the sense of the solidarity of truth. Whatever wounds the body of truth in one of its members attacks the whole organism. It is not chimerical to foresee a time when the consciousness of being a member of an organized society of truth-seekers will solidify and re-enforce otherwise scattered and casual efforts.

Given that individual initiative whose permanent weakening we can scarcely imagine in an Anglo-Saxon community: and two forces, the need of the community for guidance and the sense of membership in the wider university to which every inquirer belongs, will assuredly amply triumph over all dangers attacking academic freedom.

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## II

### THE RIGHTS OF DONORS<sup>1</sup>

I presume it is scarcely incumbent upon me to declare myself to be quite as uncompromising a friend and lover of freedom as any man upon earth. I pronounce for the freedom of man in every walk in life, complete in so far as the exercise of his individual liberty is not subversive of his obligations to society and the rights of others. I assume that every teacher and professor has the fullest and most complete freedom conceivable of expression of his opinions upon all proper subjects to his pupils, and of propagation of such doctrines as he may have accepted as true—unless he has voluntarily entered into such relations and obligations as in some way curtail his complete freedom—if he is acting as an independent teacher, has founded his own school, secured his own scholars, or has reserved to himself independence in the service of his employers and inculcates nothing contrary to the laws of the land or destructive of social order. I assume that, under such conditions, he may teach what he pleases. "Truth is mighty and will prevail," and if a professor shall have discovered, or in any way acquired possession of, a scheme that he deems essential to be known of men in order that their political, social, economic, or religious regeneration may be effected and their happiness and condition in life increased and improved, why should he not go forth and teach it, even tho he suffer contumely and ostracism; believing, as he does, that his cause is pregnant of consequences glorious for mankind? If he is imbued with the true teaching spirit—and that is one of the essentials to true success as a teacher—mere details of salary and the like can weigh nothing with him in comparison with his lofty idea of duty. Under those circumstances he is entitled

<sup>1</sup> A paper read before the Association of Colleges and Preparatory Schools in the Middle States and Maryland, at Syracuse, N. Y., November 29, 1901.